

HONORING OLIVE BEASLEY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1999

Mr. KILDEE. Mr. Speaker, I come before you today with a heavy heart, as I stand here to recognize the lifetime achievements of a woman who gave much to her family and her community, in the name of equal rights for all. On May 21, the Beasley family, local officials, civic leaders, and members of the Flint, Michigan, community will gather to honor the memory of Ms. Olive Beasley of Flint, who died May 13.

Olive Beasley was born in Chicago, and upon moving to Michigan, worked for the NAACP, where she was an integral part in the campaign in favor of Michigan's Fair Employment Act. She was later transferred to Flint, in the 1960's, and began a tenure with the Michigan Civil Rights Commission. Olive rose through the ranks, and for 16 years, headed the Civil Rights Commission's Flint office. During that time, she also began a long lasting partnership with the Flint Civil Service Commission. In fact, Olive was the Civil Service Commission's longest serving member. Her tireless and selfless efforts to ensure that each and every person received the same opportunities for success made her known as one of the area's most staunch advocates, and in many eyes, Olive was indeed the mother of Flint's civil rights movement.

Olive was a steadfast member of the Flint community, and constantly served as a role model and counselor for people throughout the city, including many city officials, who turned to her for advice and insight. Many of Flint's most prominent public servants credit their involvement in politics and activism to Olive's influence. Her dedication to civil rights extended beyond the Civil Rights Commission, as she became a member and served on the boards of such groups as the Urban League of Flint, the Urban Coalition of Greater Flint, the Legal Aid Society, and the advisory board of WFUM, the public television station of the University of Michigan-Flint.

Mr. Speaker, the Flint area, as well as the entire state of Michigan has lost one of its strongest advocates for civil rights. Olive Beasley will always be remembered as a giant person in the community. The respect she commanded from everyone she came into contact with was tremendous. My sincerest condolences go out to her family. She will be sorely missed.

CONGRATULATING THE SUMMIT SCHOOL ON BEING NAMED A BLUE RIBBON SCHOOL

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1999

Mr. HOYER. Mr. Speaker, I rise today to recognize The Summit School of Edgewater, Maryland on being named a 1998-1999 Blue Ribbon School by the United States Department of Education.

This is a special honor because The Summit School is a special institution. They strive

for excellence and they have achieved that goal. The non-profit private school was created ten years ago to promote literacy among children ages 6 to 15 with unique educational needs. They opened their doors in 1989 with 25 students and now have 104 students representing six Maryland counties and the District of Columbia.

The Summit School's mission is to leave no room for failure. The teachers foster an environment where success is an attainable personal goal for each and every student. The School houses a media center, an extensive collection of books, films, tapes and computers with Internet access. In addition to their classrooms, the school has transformed a barn into intimate reading rooms. Their record of achievement thus far is reflective of their dedication to the needs of their students; since The Summit School's creation, seventy percent of the students increased their reading scores by three or more grade levels in 4 years or less. Seventy-five percent of all eighth grade graduates go on to attend public and private schools with only limited support but great success.

Mr. Speaker, The Summit School is one of those great success stories which are often overlooked. The hard working teachers and students of The Summit School have earned the right to be called "A Blue Ribbon School." The Blue Ribbon Award is given to schools which display qualities of excellence, high quality teaching and up-to-date curriculum. The Summit school embodies all of these qualities and more.

The school motto, "Teachers of Excellence" guides the educators in this institution as they work hard to bring out the best in their students. Teachers conduct lengthy staff meetings on a regular basis to address individual student's needs. They also undergo year-round training to constantly enhance their teaching skills.

Mr. Speaker, I am proud to have The Summit School in my Congressional District. I ask my colleagues to join me in congratulating the teachers, parents, students and community members who have made this school an institution that should serve as a model for schools around the state and throughout the country.

INTRODUCTION OF THE MSPA CLARIFICATION ACT OF 1999

HON. CHARLES T. CANADY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1999

Mr. CANADY of Florida. Mr. Speaker, America's farming community plays a vital role in the prosperity of the nation. Our growers are facing tremendous challenges as the world economy changes—changes in international competition, environmental stewardship, and providing for the nutritional needs of the planet's growing population. Given these pressures, farmers should not have to contend with government agencies that overstep regulatory boundaries set by Congress. Unfortunately, this is precisely what is happening.

Agriculture is a labor-intensive industry, particularly during the planting and harvesting seasons. This is especially true for specialty crops such as citrus, vegetables, apples, and

peaches, which are grown in many different regions of the country. Temporary and migrant workers are critical to meeting the need for farm labor. Congress, through the Migrant and Seasonal Workers Protection Act (MSPA) and other initiatives, created a national standard to ensure safe working conditions for these workers and entrusted enforcement of these laws and regulations, primarily with the Department of Labor.

The need for effective migrant worker protections is well recognized; however, current federal policies are placing an unfair burden upon agricultural employers. In 1997, the Department of Labor issued a new interpretation of the joint employer rule found in MSPA that holds farmers to a stricter standard than other employers. The new regulation is written so broadly that virtually any grower can be classified as a joint employer for liability purposes. This is in spite of several court rulings that struck down the Department's attempts to interpret the joint employer rule in such a fashion. Because the new guidelines would apply to MSPA alone, only agriculture employers are subject to them. This action, combined with overlapping housing regulations, Department of Labor initiatives to classify year-round employees as seasonal workers, onerous federal transportation insurance requirements, and other policies are selectively punitive and unfair to agriculture.

The MSPA Clarification Act, which I am introducing today, seeks to ease the inequitable burden on farmers. The bill would restore the original definition of joint employer and make other common sense changes in the regulatory structure governing agricultural labor. It would clarify that farm workers who enter into voluntary carpool arrangements should not be classified by the Department of Labor as licensed farm labor contractors in violation of MSPA; grant farmers a 10-day grace period in which they may correct MSPA violations; streamline worker housing regulations; and require federal investigators to confer with growers prior to entering the farm operation.

The MSPA Clarification Act does not weaken or do away with the basic protections afforded to migrant workers under MSPA. It merely seeks to provide for a reasonable relationship between growers and the government by returning to the original intent of Congress for MSPA. The legislation is supported by the American Farm Bureau Federation and other agricultural groups from around the country. It has the bipartisan support of many in Congress. I look forward to working with my colleagues to ensure a safe and productive farm workplace through this important piece of legislation.

CAPTAIN DONALD E. PETERS, USN

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1999

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to a great American warrior, Captain Donald E. Peters, of the United States Navy.

Captain Peters will end his 30 year career with the Navy on May 28, 1999, a career that has included a host of commands. Most notably for South Texas, one of those commands included the Mine Warfare Center of Excellence at Naval Station Ingleside (NSI) on the Bay of Corpus Christi.

I was always taken with Captain Peters' style of leadership; his philosophy seemed to be: "Shut up and do it." He led by example. He became involved, and stayed involved, in all the things that affected Naval Station Ingleside's mission or the sailors there.

Captain Peters' most significant accomplishment at NSI was the leadership he showed in effort and innovation, an accomplishment that won a presidential tribute for NSI. NSI was recognized with the annual Commander in Chief's Installation Excellence Award in 1997. The base was chosen from among 135 installations world-wide, and was selected from among 11 semi-finalists.

It was innovation in the following areas that attracted the award: leadership, retention of personnel, equal employment opportunity, community relations, energy conservation, pollution prevention, food service excellence and recreational activities.

Captain Peters' service and leadership was pivotal in the development of NSI. In 1992, NSI began with 500 sailors. By the end of 1996, just prior to this award, it had over 4,000 personnel, making it one of the Navy's fastest growing military facilities. Continuing that trend, by next year, NSI will have around 5,000 military and civilian employees at the base.

In 1995, Captain Peters streamlined the base's administrative staff from nine department to five departments. The move made operations more efficient and responsive to the needs of the sailors. Military organizations tend to note efficient models of success, and NSI's administrative operations were rapidly adopted Navy-wide for emulation at similar-sized installations.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to a lifetime of service by Captain Donald E. Peters, a real American patriot and hero.

TRIBUTE TO WINSTON WILSON

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1999

Mr. STENHOLM. Mr. Speaker, this week the Nation, and particularly the agricultural industry, lost one of its most important assets, Winston Wilson. Winston made a difference for his family, his community, his industry and for this country.

I got to know Winston before either one of us moved to Washington. Following his service as Deputy Undersecretary of Agriculture in the Carter Administration, Winston came to my Congressional office as Administrative Assistant. His time in my office was brief—just about a year from December 1980 to November 1981—but that was plenty of time for Winston and his wife Mickie, and daughters Michelle and Missy, to endear themselves to us and to become a permanent part of our office family.

In an era where the voices of agriculture are becoming fewer and fainter, Winston stood out as one of the most effective spokespersons for the wheat farmers from whom he came. His Daddy trained him well in the fields at Quanah, giving him the kind of Texas common sense that few possess at the national level. Winston never forgot his roots, even though he traveled the world over in promotion of U.S. Agriculture.

When Winston left my office, he continued his advocacy of the industry at U.S. Wheat Associates, where he served as President until 1997. He also was Chairman of the U.S. Agricultural Export Development Council, founding member of the U.S. Grain Quality Workshop, a former President of the National Association of Wheat Growers, and a member of the U.S. Agriculture Department's Trade Advisory Committee.

More than anything, Winston committed his life to the advocacy of American wheat. He spent a great portion of his life working hard to develop overseas markets for U.S. farmers, and he developed strategies and programs to build export demand for U.S. wheat. U.S. Wheat Associates, with whom Winston had such a long relationship, is a worldwide organization supported by wheat producers in Texas and 17 other states along with USDA's Foreign Agricultural Service. Under Winston's leadership, the organization has been successful in establishing and servicing markets for up to 60 percent of the wheat produced in the U.S. and up to 80 percent of the wheat produced in Texas. The farm economy is struggling at the present time but without Winston's efforts, our struggles would be far greater.

Winston is survived by a lovely wife and daughters, who we will continue to hold in our prayers as they deal with this great loss. They and all of Winston's friends, not to be mentioning the entire wheat industry, are enormously proud of what Winston accomplished in his life. We have many fond—and often times amusing—memories of our time with Winston and we will always treasure those thoughts.

For those of us who are left behind, even the longest life of a loved one seems too short. So, in instances such as this untimely death, it is impossible not to feel cheated out of many years which we had hoped to share. We feel a great loss this week but we also celebrate the life Winston Wilson lived. He will remain in our hearts, thoughts and prayers.

CONCERN OVER SAFETY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1999

Mr. STARK. Mr. Speaker, I rise today to express my grave concern over the safety of medical devices and the effectiveness of government agencies directed to protect the public from unsafe products. We have all read stories in the newspapers about drugs that have been recalled because they were rushed to market without adequate testing. Many critics of our current policies argue that we have put the profit motive ahead of the health and well being of patients. I agree and have yet another example that the system may have failed to protect the health of patients.

Ethicon is a subsidiary of Johnson & Johnson and makes surgical equipment. It is the nation's largest manufacturer of sutures used for deep tissue surgeries. In 1994, Ethicon recalled over 3.5 million boxes of its Vicryl sutures because the sutures may have been contaminated during the manufacturing process. What I find especially disturbing about this episode is how the company and FDA responded to the problem.

Early in 1994, Ethicon began to use a new sterilization process for its sutures. Shortly thereafter, the company discovered that several batches were contaminated. The company decided to resterilize these sutures and then distribute them on the market. This practice continued for several months. Eventually, Ethicon stopped using the new procedure and switched to other sterilization techniques. During this time, Ethicon officials never contacted FDA to report the problem it was having with the sterilizer. Indeed, the FDA did not discover the problem until it conducted one of its routine inspections. These routine inspections occur once every two to three years.

The FDA did send a Warning Letter to Ethicon citing significant deviations from Good Manufacturing Practices. By September, Ethicon decided to recall the sutures it had produced. In other words, many months passed between the initial problems with the sterilization procedure and eventual recall. I can only speculate what would have happened, or not happened, if the FDA had not caught the problems with the sterilizer.

The next sequence of events is what I really find troubling. Ethicon issued its recall according to FDA regulations. However, the letter of the law requires only that Ethicon contact distributors and hospitals, not the surgeons who use the sutures. This means that surgeons across the nation were performing operations and using sutures that were subject to a national recall. While Ethicon followed the letter of the law, I would think that a corporation dedicated to the health of patients would have taken a more aggressive stance to ensure that its sutures would be removed from supply rooms and surgical kits.

According to FDA documents only 2% of the suspect sutures were recovered in the recall. Somehow, leaving 98% of the suspect sutures on the market and unaccounted for seemed to be acceptable to the FDA. They considered the recall completed and closed in June of 1995.

Since 1994, over 100 cases of severe postoperative infections have occurred in patients who claim that the infection was due to contaminated sutures. Lance Williams of the San Francisco Examiner has written a series of articles (2/21/1999 & 2/22/1999) describing the pain and suffering that these people experienced. Ethicon has settled many of these cases out of court with exceptionally strong confidentiality requirements. Because the records are sealed, we cannot determine the potential threat to public health by examining the details of the cases.

We may never know with certainty whether the sutures were contaminated and lead to the postoperative infections. According to a letter from the FDA, "Since typically, 20 units are tested per batch, the finding of ten units were positive results is not conclusive. It is difficult to conclude whether these results mean that the sutures were contaminated or that contamination occurred during the testing."

Even more amazing is the fact that Ethicon destroyed all the sutures recovered in the recall. Therefore, we cannot know if the recalled sutures were contaminated or sterile.

Our constituents depend upon sound federal regulation to protect them from harm. Few of us have the technical expertise to determine which drugs are safe to treat what ails us or the ability to know how we may be infected by contaminated surgical devices. Rather, we